



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juventino NOLASCO

Defendant.

Mag. Case No.

**'08 MJ 8658**

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326  
Deported Alien Found In the  
United States

The undersigned complainant being duly sworn states:

On or about July 17, 2008, within the Southern District of California, defendant Juventino NOLASCO, an alien, who previously had been excluded, deported and removed from the United States to El Salvador was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17<sup>th</sup> DAY OF JULY 2008.

PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Juventino NOLASCO

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the  
6 statements of the apprehending Border Patrol Agent, R. Cabrera,  
7 that the Defendant was found and arrested on July 17, 2008 west  
8 of Calexico, California.

9 Agent Cabrera was patrolling the border when he encountered  
10 an individual approximately 12 miles west of the Calexico,  
11 California, Port of Entry. Agent Cabrera approached the  
12 individual, later identified as Juventino NOLASCO, and identified  
13 himself as a United States Border Patrol Agent. Agent Cabrera  
14 questioned the individual as to his citizenship and NOLASCO was  
15 determined to be a citizen and national of El Salvador illegally  
16 in the United States. NOLASCO was placed under arrest.

17 Record checks revealed an Immigration Judge ordered NOLASCO  
18 deported to El Salvador from the United States on September 17,  
19 2007. Record checks also revealed NOLASCO has a criminal record.

20 There is no evidence NOLASCO has sought or received  
21 permission from the Attorney General or the Secretary of the  
22 Department of Homeland Security to re-enter the United States.  
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